

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re: TRANSCARE CORPORATION, <i>et al.</i> ,	Bankr. Case No. 16-10407-SMB Chapter 7 (Jointly Administered)
SHAMEEKA IEN on behalf of herself and all others similarly situated, Plaintiff, v. TRANSCARE CORPORATION, TRANSCARE NEW YORK, INC., TRANSCARE ML, INC., TC AMBULANCE GROUP, INC., TRANSCARE MANAGEMENT SERVICES, INC., TCBA AMBULANCE, INC., TC BILLING AND SERVICES CORPORATION, TRANSCARE WESTCHESTER, INC., TRANSCARE MARYLAND, INC., TC AMBULANCE NORTH, INC. AND TRANSCARE HARFORD COUNTY, INC., LYNN TILTON, ARK CLO 2001-1 LIMITED, ARK INVESTMENT PARTNERS II, L.P., PATRIARCH PARTNERS, LLC, and PATRIARCH PARTNERS III, LLC, Defendants.	Adv. Case No. 16-01033-smb

AMENDED STIPULATION AND SCHEDULING ORDER

WHEREAS, counsel for Shameeka Ien (the “Plaintiff”) and counsel for Salvatore LaMonica the Chapter 7 Trustee of the Debtors’ estates (the “Trustee”) TransCare Corporation, TransCare New York, Inc., TransCare ML, Inc., TC Ambulance Group, Inc., TransCare Management Services, Inc., TCBA Ambulance, Inc., TC Billing and Services Corporation, TransCare Westchester, Inc., TransCare Maryland, Inc., TC Ambulance North, Inc. and TransCare Harford County, Inc. (collectively, the “Debtors”) and counsel for Lynn Tilton, Patriarch Partners,

LLC, Patriarch Partners III, LLC, Ark CLO 2000-1 Limited (“Ark CLO”) (incorrectly named as “Ark CLO 2001-1 Limited”), and Ark Investment Partners II, L.P. (collectively, “Non-Debtor Defendants;” and the Debtors and Non-Debtor Defendants are collectively the “Defendants”) conferred to develop a proposed scheduling order for this matter;

WHEREAS, on July 19, 2016, the Court held a pre-trial status conference in this matter and on that date So Ordered and Entered the parties Stipulation and Proposed Scheduling Order;

WHEREAS, the Defendants and Plaintiff continue to work cooperatively to facilitate production of documents;

WHEREAS, the Defendants and the Plaintiff will continue to work cooperatively to complete all discovery within the time frame proposed below;

WHEREAS, the Parties have conferred to develop the following revised, proposed scheduling order;

IT IS HEREBY ORDERED AS FOLLOWS:

1. Initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) have already been made in this case.

2. Plaintiff has already made a motion for class certification and a class has already been certified in this case.

3. All merits fact discovery shall be completed no later than July 31, 2018. The parties, shall, pursuant to Federal Rule of Civil Procedure 26(a)(2), designate expert witnesses regarding issues upon which they bear the burden of proof and make corresponding disclosures by August 30, 2018.

4. The designation of rebuttal experts, if any, and the service of rebuttal expert reports shall occur by October 1, 2018.

5. Expert reports, rebuttal or otherwise, shall provide the information required by Federal Rule of Civil Procedure 26(a)(2)(B).
6. The deadline to conclude all depositions of expert witnesses is October 22, 2018.
7. If any party desires to file a motion that would be dispositive of part or all of the claims in this proceeding, such party must notify the Court and the other party of that intention no later than November 8, 2018, and request a pre-motion conference with the Court prior to filing any such motion.

STIPULATED AND AGREED

Dated: February 26, 2018

/s/ Jack A. Raisner

Jack A. Raisner
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Dated: February 26, 2018

/s/ Kathleen M. McKenna

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Dated: February 26, 2018

/s/ Holly R. Holecek

Holly R. Holecek, Esq.

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Trustee
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*Ark Clo 2001-1 Limited, and Ark
Investment Partners II, L.P.*

SO ORDERED by the Court this 6th day of March, 2018.

/s/ STUART M. BERNSTEIN

**HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE**